

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY JO ALTIMARI, Plaintiff, v. JOHN HANCOCK VARIABLE LIFE INSURANCE COMPANY, Defendant.	CIVIL ACTION NO. 02-2972
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ORDER

AND NOW, this 16th day of January, 2003, upon consideration of Motion for Leave of Court to Amend Answer to Assert Crossclaim (document no. 21) and the response, it is **ORDERED** that the said Motion is **DENIED** as untimely. Trial is listed for February 26, 2003. Allowing amendment of the Answer at this late stage and after the close of discovery risks delay and prejudice.

It is further **ORDERED** that the alternative Motion for Summary Judgment (document no. 28) is **DENIED** as moot.

BY THE COURT:

MARVIN KATZ, S.J.